

Remarks

Favorable reconsideration of this application, in view of the above amendments and in light of the following remarks and discussion, is respectfully requested.

Claims 1-48 are currently pending; Claims 1-42 having been amended, and new dependent Claims 43-48 having been added, by way of the present response.¹

In the outstanding Office Action Figures 24-27 were objected to, and Claims 1-7, 22-31, and 42 were rejected under 35 U.S.C. § 102(b) as being anticipated by Japanese Publication No. 10-116431 to Tetsuo.

As stated above Figures 24-27 were objected to because the figures were not designated by a legend such as "Prior Art." In response, as shown in the attached replacement sheets, Applicants have so-designated the figures. Thus, Applicants respectfully request that the objection to the drawing be withdrawn.

As stated above Claims 1-7, 22-31, and 42 were rejected under 35 U.S.C. § 102(b) as being anticipated by Tetsuo. Applicants respectfully request that the rejection of the claims be withdrawn for the following reasons.

As stated above Claims 1-42 have been amended in a non-narrowing manner to remedy potential informalities. Dependent Claims 43-48 have also been added. Applicants respectfully assert that support for the changes to the claims is self-evident from the originally filed disclosure, including the original claims, and that therefore no new matter has been added.

The present invention is directed to an objective lens drive apparatus configured to be used in an optical pickup. Independent Claims 1, 8, 22, 27, 32, and 37 each recite a magnetic circuit including a magnet configured to be magnetized in two polarities, and a coil unit including a focus coil, a tracking coil and a tilt coil. The focus coil, the tracking coil and the

¹ Claims 8-21 and 32-41 having been withdrawn from consideration.

tilt coil are disposed within a magnetic gap of the magnetic circuit. Independent Claim 42 recites a magnetic circuit including a magnet configured to be magnetized in two polarities, and a coil unit including a focus coil, a tracking coil and a tilt coil. A lens configured to be adjusted in a focusing direction, a tracking direction, and a tilt direction by the magnetic circuit and coils is provided in a lens holder.

Tetsuo is directed to an objective lens driving device. As shown in Figures 11 and 12, for example, of Tetsuo, printed coil 23 includes tracking coil 4, focal coil 3, and tilt coil 5, while printed coil 24 includes tracking coil 4, and tilt coil 6.²

Regarding the rejection of independent Claims 1, 8, 22, 27, 32, and 37, Applicants respectfully assert that Tetsuo does not teach, however, the claimed features of one coil unit including a focus coil, a tracking coil, and a tilt coil disposed within a magnetic gap of a magnetic circuit. Rather, as discussed above, Applicants respectfully assert that at most Tetsuo shows and states two coil units (i.e., printed coils 23 and 24) corresponding to a magnetic circuit.

Specifically, independent Claims 1, 22, and 27 recite "a coil unit comprising a focus coil, a tracking coil and a tilt coil, wherein the focus coil, the tracking coil and the tilt coil are disposed within a magnetic gap of the magnetic circuit." Independent Claims 8, 32, and 37 recite "a coil unit comprising a focus coil, a tracking coil and a tilt coil, wherein the focus coil, the tracking coil and the tilt coil are disposed within a magnetic gap of one of the magnetic circuits." Thus, Applicants respectfully request that the rejection of independent Claims 1, 8, 22, 27, 32, and 37 under 35 U.S.C. § 102(b) be withdrawn and the independent claims allowed.

Regarding the rejection of independent Claim 42, Applicants respectfully assert that Tetsuo does not teach the claimed features of one coil unit including a focus coil, a tracking

² Paragraphs [0028] and [0035].

coil, and a tilt coil corresponding to a magnetic circuit. Rather, as discussed above, Applicants respectfully assert that at most Tetsuo shows and states two coil units (i.e., printed coils 23 and 24) corresponding to a magnetic circuit.

Specifically, independent Claim 42 recites “a magnetic circuit comprising a magnet configured to be magnetized in two polarities . . . [and] a coil unit comprising a focus coil, a tracking coil and a tilt coil.” Thus, Applicants respectfully request that the rejection of independent Claim 42 under 35 U.S.C. § 102(b) be withdrawn and the independent claim allowed.

Applicants respectfully assert that dependent Claims 2-7, 9-21, 23-26, 28-31, 33-36, and 38-41 are allowable for the same reasons as the independent claims from which they depend, as well as for their own features. Thus, Applicants respectfully request that the rejection of the dependent claims be withdrawn, that the withdrawn claims be treated on the merits, and that dependent Claims 2-7, 9-21, 23-26, 28-31, 33-36, and 38-41 be allowed.

Applicants respectfully assert that dependent Claims 43-48 are also allowable for the same reasons as the independent claims from which they depend, as well as for their own features. Thus, Applicants respectfully request the allowance of dependent Claims 43-48.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 1-48 is earnestly solicited.

Application No. 09/903,752

• Reply to Office Action of February 3, 2004

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact the undersigned representative at the below listed telephone number.

Customer Number

22850


Tel: (703) 413-3000

Fax: (703) 413 -2220

(OSMMN 08/03)

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Registration No. 25,599
Attorney of Record

Philip J. Hoffmann
Registration No. 46,340

GJM/PH/me

I:\ATTY\PH\21S\211402\PRP AM 051804.DOC